

**TOWN OF SOMERS  
PLANNING COMMISSION  
P.O. BOX 308  
SOMERS, CONNECTICUT 06071**

**PLANNING MINUTES  
REGULAR MEETING  
Thursday, October 25, 2007  
7:00 p.m. Town Hall**

**I. CALL TO ORDER**

Chairman Karl Walton called the regular meeting to order at 7:00 p.m. Members Greg Genlot, Brad Pellissier, Karl Walton and Alternate Member Joe Iadarola (seated for Cliff Bordeaux) were present and constituted a quorum. Town Planner Patrice Carson was also present.

**II. OLD BUSINESS**

a. **OTHER** – There was no other Old Business.

**III. NEW BUSINESS:**

a. **REQUEST FOR BOND REDUCTION, WORK IN JALBERT SUBDIVISION,  
LaCABANA ROAD, JALBERT**

The applicant for the Jalbert Subdivision has completed up to the first layer of pavement needed for the subdivision. Mr. Strauss has reviewed the work and confirmed that it has been done. Ms. Carson has received a letter from the Vargos'; the west-side abutters located on the corner of LaCabana and Mountain Road. They gave an easement to the town to allow for some drainage and they have some concerns about the subdivision. These concerns have been brought to Mr. Jalbert's attention. In their letter to the town, they request that the bond not be decreased due to their concerns.

Ms. Carson explained that the applicant does have 5 years in which to complete the project and that a bond must remain in place for the entire project. The Commission must reduce the bond if work has been completed but may not reduce the bond any lower than 30% of the original. In this case, the applicant is requesting more but staff is recommending to reduce no lower than the 30% allowed by the regulation. Ms. Carson sent a letter to the Vargo's outlining the progress of the project and requested that they document their concerns to differentiate as to whether their concerns are connected to the subdivision or constitute private matters with the developer.

*A motion was made by Mr. Pellissier, seconded by Mr. Genlot and unanimously voted to approve the reduction of Jalbert Construction, LLC's performance bond of \$408,908.00 by \$286,236.00 as permitted by the subdivision regulations to the amount of \$122,672.00, for the Subdivision known as "Jalbert Heights Subdivision" on Mountain View Road. The Town Engineer has reviewed the*

*construction and agrees with the reduction requested. The reduction of the bond is subject to the presentation of a performance bond to the Planning Office for the reduced amount in the form of Surety, Irrevocable Letter of Credit, or Passbook acceptable to the Town Attorney.*

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b. **REVIEW/ADOPT 2008 MEETING DATES**

Ms. Carson distributed a draft of the Regular Meeting dates for the Planning Commission in 2008. She noted that she would be unavailable for both the April 24<sup>th</sup> and June 12<sup>th</sup> meeting dates due to prior commitments.

*A motion was made by Mr. Iadarola; seconded by Mr. Pellissier and unanimously voted to adopt the Planning Commission 2008 meeting dates as proposed.*

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c. **DISCUSSION/POSSIBLE ACTION; CLEAR-CUTTING ON TOWN PROPERTY, FOREST VIEW NORTH TRAIL (MILLER DRIVE).**

As the open space donation for the Miller subdivision, a parcel of land was conveyed to the town of Somers as a trail, known as Forest View North Trail. The trail is roughly 15 to 25 feet in width by 300 feet long. The abutting neighbor west of the trail purchased some property parallel to this trail and wished to clear for a pasture. They hired a licensed logger to take some trees down but retained a thirty-foot buffer between their property and the end of their property line. The abutting neighbor east of the trail contacted the same logger requesting that trees be taken down on their property.

When the logger had finished, both properties and the "Forest View North Trail" on Town property was clear-cut and stumped.

Ms. Carson visited the site and was able to speak with the logger, Mr. Joe Quirk. She informed him at that time that the land he cleared was Town-owned property and he did not have the permission or authority to clear the land without a contract to do so. She also informed him that she would be filing a complaint with the state and they would be seeking restitution in the form of finances and replanting of trees.

Mr. Walton mentioned that he thought it important to inform the Town Selectman and discuss this matter with the Town Attorney to inquire about how the town can proceed with recouping the loss of the trees on this property.

*A motion was made by Mr. Genlot; seconded by Mr. Pellissier and unanimously voted to send a recommendation to the Board of Selectmen to have the town attorney review what recourses are available to the town in response to the clear-cutting on town property, Forest View North Trail (Miller Drive) without permission.*

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d. **OTHER** – There was no other New Business.

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IV. **DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT**

Ms. Carson noted that she is still working on the ridgeline project.

V. **STAFF/COMMISSIONER REPORTS** – Already covered in the meeting.

VI. **AUDIENCE PARTICIPATION** – There was none.

VII. **CORRESPONDENCE AND BILLS**

- Ms. Carson mentioned that there is a course she wishes to attend to help meet her CEU requirements which takes place on October 30<sup>th</sup>, 2007. The Conference entitled “Development Techniques Mother Nature Would Love” is worth 4 credits and has a price tag of \$30.

*A motion was made by Mr. Pellissier; seconded by Mr. Genlot and unanimously voted to send Ms. Carson to the "Development Techniques Mother Nature Would Love" Conference for \$30 on October 30<sup>th</sup> 2007.*

*A motion was made by Mr. Pellissier; seconded by Mr. Iadarola and unanimously voted to pay the Journal Inquirer bill for \$212.49 for the hearing on September 13, 2007 and the meeting which followed as well as Mr. Strauss's bill for the first quarter in the amount of \$7,613.75*

VIII. **MINUTES APPROVAL:**                      **October 11, 2007**

*Correction:* “Mr. Iadarola (seated for Cliff Bordeaux)” to be added to the CALL TO ORDER section.

*A motion was made by Mr. Iadarola; seconded by Mr. Pellissier and unanimously voted to approve the meeting minutes for October 11, 2007 as amended.*

IX. **ADJOURNMENT**

- *A motion was made by Mr. Pellissier; seconded by Mr. Iadarola and unanimously voted to adjourn the October 25, 2007 Planning Commission meeting at 7:45pm.*

Respectfully submitted,

Jennifer Boudreau  
Recording Secretary

Bradley Pellissier  
Secretary

**MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.**